IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 5620 of 2007(R)

PETITIONER:

S. SUBHAS, S/O.SADASIVAN, AGED 57 YEARS, `SOUDA', MUNDAYIL DESOM, VARKALA VILLAGE, CHIRAYINKEEZH TALUK, TRIVANDRUM DISTRICT, REP. BY HIS POWER OF ATTORNEY HOLDER, V.SARACHANDRAN, S/O.VELUKUTTY,KUNNIL HOUSE, AYANTHI, VARKALA P.O. CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM.

BY ADV. SRI.T.H.ABDUL AZEEZ
SRI.M.CHANDRAN

RESPONDENTS:
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1. SUB INSPECTOR OF POLICE, VARKALA, VARKALA P.O., THIRUVANANTHAPURAM.

2. SASI, S/O.DEVAMMA, KUZHIVILAVEEDU, NEAR JAWAHAR PARK, VARKALA VILLAGE, VARKALA P.O.

3. RAMAN, THOPPUVILA, MUNDAYIL, VARKALA VILLAGE, VARKALA P.O.

4. PUSHPANGATHAN, CHARUVILA VEEDU, NEAR GOVT.HOSPITAL, VARKALA P.O., VARKALA VILLAGE.

ADDL.R5:

5. ASSISTANT LABOUR OFFICER (A.L.O), VARKALA.

ADDL.R5 IS IMPLEADED AS PER ORDER DATED 5.3.2007 IN I.A.NO.3429/2007

BY GOVT.PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C).5620/2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF LICENCE NO.3043/2003-04 DATED 18.6.2003 FROM THE VARKALA MUNICIPALITY.

EXT.P2: COPY OF RENEWAL RECEIPT OF LICENCE DATED 8.6.2005 FOR THE YEAR 2005-2006.

EXT.P3: COPY OF REPRESENTATION DATED 4.11.2006 SUBMITTED BEFORE THE 1ST RESPONDENT BY THE POWER HOLDER OF THE PETITIONER.

/TRUE COPY/

J.B. KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) NO.5620 Of 2007 (R)

Dated this the 28th day of March, 2007

JUDGMENT

KOSHY,J.

This is a petition for police protection. It is the case of the petitioner that he has employed four permanent workers namely Biju, Baby Kumar, Babu and Brijith as mentioned in paragraph 3 of the affidavit dated 27.2.2007. It is his case that they themselves are doing loading and unloading works and they have applied for registration as attached Headload workers before the Assistant Labour Officer. Earlier loading and unloading works are done by these persons only. If that be so, and if the petitioner has filed application for registration, police shall give adequate protection to the petitioner, provided, loading and unloading works are only carried out by the above four persons who applied for registration. This order is without prejudice to the right of the workers or unions to raise labour disputes. With the

above observations this writ petition is disposed of.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

prp

J.B. KOSHY AND
T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) No./2007

Judgment

Dated:21st March, 2007